IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 14477 of 2004

Between:

P.V.S.N.Murthy S/o. Late Ramana Rao
R/o. 43-34-14, Railway New Colony, Visakhapatnam.

..... PETITIONER

AND

1 The Dy. Transport Commissioner and Secretary Regional Transport Auithority, Visakhapatnam.
2 The Secretary Regional Transport Authority, Khammam.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in not cancelling the No Objection Certificate which was issued on 30-6-2004 in C.No.94164/A1/2004 as per application Dt.9.7.2004 in respect of the petitioner's Idle Contract Carriage Vehicle bearing No.AP/7T -6199 as illegal arbitrary and contrary to law and consequently direct the 1st respondent to cancel the No Objection Certificate and pass such other order or orders as may be deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.B.SIVA RAMA KRISHNAIAH

Counsel for the Respondents: GP FOR TRANSPORT

The Court at the stage of admission, made the following :

ORAL ORDER

The petitioner claims that he is the owner of a Contract Carriage Vehicle bearing No.AP/7T-6199. He made an application to the first respondent for issuing a No Objection Certificate for change of address to Khammam. No objection Certificate was issued by the first respondent on 30-06-2004. Subsequently, the petitioner made another application on 09-07-2004 requesting the first respondent to cancel the No Objection Certificate on the ground that he decided to remain at Visakhapatnam.

The grievance of the petitioner is that the first respondent so far did not pass any order on his application dated 09-07-2004. Therefore, he approached this Court seeking a direction to the first respondent for passing appropriate orders on the said application.

In the light of the circumstances explained by the petitioner, the first respondent is directed to pass appropriate orders on the application of the petitioner dated 09-07-2004 for cancellation of No Objection Certificate issued in his favour on 30-06-2004 within two weeks from the date of receipt of a copy of this Order.

The writ petition is disposed of accordingly. No order as to costs.

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17TH AUGUST 2004

NOTE

Issue CC in

two days.

(B/O)

*TSNR

TO

1. The Dy. Transport Commissioner and Secretary Regional Transport Auithority Visakhapatnam.
2 The Secretary Regional Transport Authority, Khammam.
3. Two CCs to G.P.For Transport
4. Two C.D.Copies